

The Senate Rules Committee offered the following substitute to HB 98:

A BILL TO BE ENTITLED
AN ACT

To amend the Official Code of Georgia Annotated so as to change provisions relating to powers, duties, and responsibilities of the Senate Committee on Assignments; to transfer certain powers of appointment from that committee to the Lieutenant Governor; to change references to certain committees of the Georgia Senate and House of Representatives in the Official Code of Georgia Annotated to conform such references to committee names as adopted by resolution by the Georgia Senate and the Georgia House of Representatives, respectively; to provide for editorial revision; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

Part 1

SECTION 1-1.

Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is amended by revising Code Section 10-9-20, relating to the Geo. L. Smith II Georgia World Congress Center Authority Overview Committee, as follows:

"10-9-20.

There is created as a joint committee of the General Assembly the Geo. L. Smith II Georgia World Congress Center Authority Overview Committee to be composed of five members of the House of Representatives appointed by the Speaker of the House, one of whom shall be a member of the minority party, five members of the Senate appointed by the ~~Senate Committee on Assignments~~ Lieutenant Governor, one of whom shall be a member of the minority party, the chairperson of the House Committee on Economic Development and Tourism or his or her designee, and the chairperson of the Senate Economic Development and Tourism Committee or his or her designee. The members of the committee shall serve two-year terms concurrent with their terms as members of the General Assembly. The chairperson of the committee shall be appointed by the ~~Senate Committee on Assignments~~ Lieutenant Governor from the membership of the committee, and the vice chairperson of

1 the committee shall be appointed by the Speaker of the House from the membership of the
2 committee. The chairperson and vice chairperson shall serve terms of two years concurrent
3 with their terms as members of the General Assembly. Vacancies in an appointed
4 member's position or in the offices of chairperson or vice chairperson of the committee
5 shall be filled for the unexpired term in the same manner as the original appointment. The
6 committee shall periodically inquire into and review the operations of the Geo. L. Smith
7 II Georgia World Congress Center Authority, as well as periodically review and evaluate
8 the success with which the authority is accomplishing its statutory duties and functions as
9 provided in this chapter."

10 SECTION 1-2.

11 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
12 subparagraph (b) (1) (E) of Code Section 15-6-94, relating to the Georgia Superior Court
13 Clerks' Cooperative Authority, as follows:

14 "(E) One member who shall be a superior court clerk appointed by the ~~Senate Committee~~
15 ~~on Assignments or such person or entity as established by Senate rule~~ Lieutenant
16 Governor;"

17 SECTION 1-3.

18 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is
19 amended by revising subsections (a) and (b) of Code Section 17-12-10.1, relating to the
20 General Oversight Committee for the Georgia Public Defender Standards Council, as
21 follows:

22 "(a) There is created the General Oversight Committee for the Georgia Public Defender
23 Standards Council which shall be composed of eight persons: three members of the House
24 of Representatives appointed by the Speaker of the House of Representatives, three
25 members of the Senate appointed by the ~~Senate Committee on Assignments or such person~~
26 ~~or entity as established by Senate rule~~ Lieutenant Governor, and one member of the House
27 of Representatives and one member of the Senate appointed by the Governor. The
28 members of such committee shall be selected within ten days after the convening of the
29 General Assembly in each odd-numbered year and shall serve until their successors are
30 appointed.

31 (b) The Speaker of the House of Representatives shall appoint a member of the committee
32 to serve as chairperson and the ~~Senate Committee on Assignments or such person or entity~~
33 ~~as established by Senate rule~~ Lieutenant Governor shall appoint one member of the
34 committee to serve as vice chairperson during each even-numbered year. The ~~Senate~~
35 ~~Committee on Assignments or such person or entity as established by Senate rule~~

1 Lieutenant Governor shall appoint a member of the committee to serve as chairperson and
2 the Speaker of the House of Representatives shall appoint one member to serve as vice
3 chairperson during each odd-numbered year. Such committee shall meet at least six times
4 each year and, upon the call of the chairperson, at such additional times as deemed
5 necessary by the chairperson."

6 **SECTION 1-4.**

7 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
8 revising subsection (a) of Code Section 20-2-2100, relating to legislative committee to
9 review operations of high school athletic associations, as follows:

10 "(a) There is created as a joint committee of the General Assembly the High School
11 Athletics Overview Committee to be composed of five members of the House of
12 Representatives appointed by the Speaker of the House, one of whom shall be a member
13 of the minority party; five members of the Senate appointed by the ~~Senate Committee on~~
14 ~~Assignments~~ Lieutenant Governor, one of whom shall be a member of the minority party;
15 the chairperson of the House Committee on Education or his or her designee; and the
16 chairperson of the Senate Education and Youth Committee or his or her designee. The
17 members of the committee shall serve two-year terms concurrent with their terms as
18 members of the General Assembly. The Speaker of the House of Representatives and the
19 ~~Senate Committee on Assignments~~ Lieutenant Governor shall each designate a
20 cochairperson from among the appointees of their respective houses. The cochairpersons
21 shall serve terms of two years concurrent with their terms as members of the General
22 Assembly. Vacancies in an appointed member's position or in the offices of cochairperson
23 of the committee shall be filled for the unexpired term in the same manner as the original
24 appointment. The committee shall periodically inquire into and review the operations of
25 high school athletic associations, as defined in subsection (c) of this Code section."

26 **SECTION 1-5.**

27 Said title is further amended by revising subsection (a) of Code Section 20-3-519.13, relating
28 to the HOPE Scholarship/Pre-K Legislative Oversight Committee, as follows:

29 "(a) There is created as a joint committee of the General Assembly the HOPE
30 Scholarship/Pre-K Legislative Oversight Committee, to be composed of three members of
31 the House Committee on Higher Education and three members of the House Committee
32 on Education, to be appointed by the Speaker of the House of Representatives; and three
33 members of the Senate Higher Education Committee and three members of the Senate
34 Education Committee, to be appointed by the ~~Committee on Assignments~~ Lieutenant
35 Governor. The chairpersons of the House Committee on Higher Education and the Senate

Higher Education Committee shall serve as cochairpersons for the oversight committee. The oversight committee shall study, inquire into, and review the operations of the Georgia Student Finance Commission with respect to the administration of HOPE scholarships and grants under this part, as well as review and evaluate the conditions, needs, and issues of the HOPE scholarship and grant program as provided for under this part, Georgia's Pre-K program, and any other programs that receive funds from the Lottery for Education Account, as provided for in Article 1 of Chapter 27 of Title 50. Such study and review shall be conducted during the first year of each biennium of the General Assembly so as to determine whether any legislative action may be necessary. The oversight committee may conduct any independent audit or investigation of the commission or any other appropriate agency it deems necessary."

SECTION 1-6.

Said title is further amended by revising subsections (b) and (c) of Code Section 20-14-90, relating to the Agricultural Education Advisory Commission, as follows:

"(b)(1) The commission shall consist of three members of the House of Representatives to be appointed by the Speaker of the House, at least one of whom shall be from the House Committee on Agriculture and Consumer Affairs and at least one of whom shall be from the House Committee on Education; three members of the Senate to be appointed by the ~~Senate Committee on Assignments~~ Lieutenant Governor, at least one of whom shall be from the Senate Agriculture and Consumer Affairs Committee and at least one of whom shall be from the Senate Education and Youth Committee; three members who are not members of the General Assembly to be appointed by the Governor; and three members who are not members of the General Assembly to be appointed by the State School Superintendent.

(2) Vacancies in the commission shall be filled in the same manner as the original appointments.

(3)(A) Legislative members of the commission shall serve two-year terms concurrent with their terms as members of the General Assembly.

(B) Nonlegislative members of the commission shall serve for ~~two-year~~ two-year terms concurrent with those terms of legislative members of the commission.

(c) The Speaker of the House shall designate one of the commission members from the House of Representatives as a ~~co-chairperson~~ cochairperson of the commission, and the ~~Senate Committee on Assignments~~ Lieutenant Governor shall designate one of the commission members from the Senate as a ~~co-chairperson~~ cochairperson of the commission. Each ~~co-chairperson~~ cochairperson shall serve as such concurrent with his or her term as a member of the commission."

SECTION 1-7.

Said title is further amended by revising paragraph (1) of subsection (b) and subsection (c) of Code Section 20-14-91, relating to the Career and Technical Education Advisory Commission, as follows:

"(b)(1) The commission shall consist of three members of the House of Representatives to be appointed by the Speaker of the House, one of whom shall be from the House Committee on Economic Development and Tourism, one of whom shall be from the House Committee on Agriculture and Consumer Affairs, and one of whom shall be from the House Committee on Education; three members of the Senate to be appointed by the ~~Senate Committee on Assignments~~ Lieutenant Governor, one of whom shall be from the Senate Economic Development Committee, one of whom shall be from the Senate Agriculture and Consumer Affairs Committee, and one of whom shall be from the Senate Education and Youth Committee; three members who are not members of the General Assembly to be appointed by the Governor; and three members who are not members of the General Assembly to be appointed by the State School Superintendent."

"(c) The Speaker of the House shall designate one of the commission members from the House of Representatives as a ~~co-chairperson~~ cochairperson of the commission, and the ~~Senate Committee on Assignments~~ Lieutenant Governor shall designate one of the commission members from the Senate as a ~~co-chairperson~~ cochairperson of the commission. Each ~~co-chairperson~~ cochairperson shall serve as such concurrent with his or her term as a member of the commission."

SECTION 1-8.

Said title is further amended by revising subsection (b) of Code Section 20-15-3, relating to the Georgia Medical Center Authority, as follows:

"(b) The authority shall consist of seven members as follows:

(1) Those persons appointed to the authority prior to July 1, 2005, and serving for terms to expire in June, 2006, shall continue to serve for the remainder of the terms to which they were appointed;

(2)(A) In 2005 and quadrennially thereafter, the Governor shall appoint two members.

(B) In 2006 and quadrennially thereafter, the Governor shall appoint three members;

(3)(A) In 2005 ~~and quadrennially thereafter~~, the Senate Committee on Assignments shall appoint one member; and

(B) In 2009 and quadrennially thereafter, the Lieutenant Governor shall appoint one member; and

(4) In 2006 and quadrennially thereafter, the Speaker of the House of Representatives shall appoint one member.

1 Except as otherwise provided by paragraph (1) of this subsection, members shall serve for
2 terms of office of four years each and until the appointment and qualification of their
3 respective successors. Any elected or appointed state, county, municipal, or school board
4 official or employee, except members of the board of regents and officials and employees
5 of the legislative or judicial branches of state government, are authorized to be appointed
6 as members of the authority, and any person so appointed is authorized to serve as a
7 member of the authority."

8 **SECTION 1-9.**

9 Said title is further amended by revising subsection (a) of Code Section 20-16-18, relating
10 to the creation of Georgia Higher Education Facilities Authority Committee, as follows:

11 "(a) There is created as a joint committee of the General Assembly the Georgia Higher
12 Education Facilities Authority Committee to be composed of five members of the House
13 of Representatives appointed by the Speaker of the House, two of whom shall be members
14 of the minority party, five members of the Senate appointed by the ~~Senate Committee on~~
15 ~~Assignments~~ Lieutenant Governor, two of whom shall be members of the minority party,
16 the chairperson of the House Committee on Higher Education or his or her designee, and
17 the chairperson of the Senate Higher Education Committee or his or her designee. The
18 members of the committee shall serve two-year terms concurrent with their terms as
19 members of the General Assembly. The ~~Senate Committee on Assignments~~ Lieutenant
20 Governor shall appoint a cochairperson from the Senate members of the committee, and
21 the Speaker of the House shall appoint a cochairperson from the House of Representatives
22 members of the committee. The cochairpersons shall serve terms of two years concurrent
23 with their terms as members of the General Assembly. Vacancies in an appointed
24 member's position or in the offices of cochairperson of the committee shall be filled for the
25 unexpired term in the same manner as the original appointment. The committee shall
26 periodically inquire into and review the operations of the Georgia Higher Education
27 Facilities Authority, as well as periodically review and evaluate the success with which the
28 authority is accomplishing its statutory duties and functions as provided in this chapter."

29 **SECTION 1-10.**

30 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
31 revising subsection (b) of Code Section 21-5-4, relating to the State Ethics Commission, as
32 follows:

33 "(b) There is created the State Ethics Commission, with such duties and powers as are set
34 forth in this chapter. The commission shall be a successor to the State Campaign and
35 Financial Disclosure Commission in all matters pending before the State Campaign and

1 Financial Disclosure Commission on March 1, 1987, and may continue to investigate,
2 prosecute, and act upon all such matters. The commission shall be governed by five
3 members appointed as follows: three members, not more than two of whom shall be from
4 the same political party, shall be appointed by the Governor, two for terms of three years
5 and one for a term of two years; one member shall be appointed by the ~~Senate Committee~~
6 ~~on Assignments~~ Lieutenant Governor for a term of four years; and one member shall be
7 appointed by the Speaker of the House of Representatives for a term of four years. The
8 initial members shall take office on March 2, 1987. Upon the expiration of a member's
9 term of office, a new member, appointed in the same manner as the member whose term
10 of office expired as provided in this subsection, shall become a member of the commission
11 and shall serve for a term of four years and until such member's successor is duly
12 appointed and qualified. If a vacancy occurs in the membership of the commission, a new
13 member shall be appointed to the unexpired term of office by the state official or the
14 committee that appointed the vacating member. Members of the commission shall not
15 serve for more than one complete term of office; provided, however, that the members of
16 the State Campaign and Financial Disclosure Commission serving on March 1, 1987, shall
17 be eligible for appointment as initial members of the State Ethics Commission."

18 **SECTION 1-11.**

19 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
20 Code Section 31-43-4, relating to members of the Commission on Men's Health, as follows:

21 "31-43-4.

22 The commission shall consist of 11 members: seven members appointed by the Governor;
23 two members of the Senate appointed by the ~~Senate Committee on Assignments~~ Lieutenant
24 Governor, one of whom shall be the chairperson of the Senate Health and Human Services
25 Committee or his or her designee; and two members of the House of Representatives
26 appointed by the Speaker of the House, one of whom shall be the chairperson of the House
27 Committee on Health and Human Services or his or her designee. The Governor may also
28 appoint an honorary chairperson to serve as a member of the commission."

29 **SECTION 1-12.**

30 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by
31 revising subsection (c) of Code Section 33-29A-21, relating to creation, membership, duties,
32 and functions of the Commission on the Georgia Health Insurance Risk Pool, as follows:

33 "(c) The ~~Senate Committee on Assignments~~ Lieutenant Governor shall appoint two
34 members of the Senate and one citizen of this state who is familiar with health insurance
35 matters to the commission."

SECTION 1-13.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by revising subsection (b) of Code Section 45-13-70, relating to the Capitol Art Standards Commission, as follows:

"(b) The Capitol Art Standards Commission shall be ~~comprised~~ composed of 15 members. Three members shall be appointed by the Governor, of whom one shall be designated as chairperson. Three members shall be appointed by the ~~Senate Committee on Assignments~~ Lieutenant Governor and three members shall be appointed by the Speaker of the House of Representatives. One member each shall be appointed by the Georgia Historical Society, the Georgia Council for the Humanities, and the Georgia Council for the Arts. One member each shall be appointed by the Board of Regents of the University System of Georgia and the Georgia Foundation for Independent Colleges, each of whom shall be proficient in the history of the State of Georgia. Each of the appointed members shall serve two-year terms of office and shall be eligible to succeed themselves. In addition, the director of the Georgia Capitol Museum or his or her designee shall be a member of the commission. Vacancies in the positions of appointed members of the commission shall be filled for the remainder of the unexpired term of office by the original appointing authority."

SECTION 1-14.

Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended by revising subsection (g) of Code Section 49-6-62, relating to the establishment of community care unit within the aging section, as follows:

"(g) The department shall submit on January 1 of each year, beginning in 1984, a progress report on the implementation of the plan required by subsection (e) of this Code section to the Speaker of the House of Representatives, the ~~Senate Committee on Assignments~~ Lieutenant Governor, the ~~chairman~~ chairperson of the House Health and Human Services Committee, and the ~~chairman~~ chairperson of the Senate Health and Human Services Committee."

Part 2**SECTION 2-1.**

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Agriculture Committee of the Senate", "Senate Agriculture Committee", and "Committee on Agriculture of the Senate" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Agriculture and Consumer Affairs Committee":

- 1 (1) Code Section 2-4-7, relating to an advisory board to the Georgia Seed Development
2 Commission;
- 3 (2) Code Section 2-8-14, relating to the composition, appointments, memberships, and
4 compensation of the agriculture commodity commissions;
- 5 (3) Code Section 4-15-1, relating to the establishment of a dog and cat reproductive
6 sterilization support program; and
- 7 (4) Code Section 27-4-253, relating to the creation, membership, and operation of the
8 Aquaculture Development Commission.

9 **SECTION 2-2.**

10 Code Section 2-7-113.1 of the Official Code of Georgia Annotated, relating to local
11 regulation of pesticides and variances from regulations of the Commissioner of Agriculture,
12 is amended by revising subsection (b) as follows:

13 "(b) The governing authority of any county or municipality may, by resolution, petition
14 the Commissioner of Agriculture for a variance from a rule or regulation of the
15 Commissioner because of special circumstances relating to the use or application of a
16 pesticide. If such a petition is received by the Commissioner, it shall be the duty of the
17 Commissioner to notify the President of the Senate, the Speaker of the House of
18 Representatives, and the ~~chairmen~~ chairpersons of the Agriculture and Consumer Affairs
19 Committee and Natural Resources and the Environment Committee of the Senate and the
20 Agriculture and Consumer Affairs Committee and the Natural Resources and
21 Environment Committee of the House of Representatives that such petition has been
22 received. The Commissioner shall conduct a public hearing on such petition and issue a
23 decision on the requested variance within 60 days of the receipt of the petition. If a
24 decision is not given within 60 days of the receipt of the petition, the variance shall
25 automatically be granted. The Commissioner may grant a variance requested under this
26 subsection with or without changes."

27 **SECTION 2-3.**

28 The Official Code of Georgia Annotated is amended by striking from the following Code
29 section the phrase "Corrections, Correctional Institutions and Property Committee of the
30 Senate" wherever the same shall occur and inserting in lieu thereof the phrase "Senate State
31 Institutions and Property Committee":

- 32 (1) Code Section 42-5-53, relating to the establishment of county correctional institutions
33 and the supervision and operation of such institutions.

SECTION 2-4.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Senate Defense, Science and Technology Committee" wherever the same shall occur and inserting in lieu thereof respectively the phrase "Senate Science and Technology Committee":

- (1) Code Section 50-13-4, relating to the procedural requirements for adoption, amendment, or repeal of rules.

SECTION 2-5.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Senate Economic Development and Tourism Committee", "Senate Economic Development, Tourism, and Cultural Affairs Committee", "Economic Development, Tourism, and Cultural Affairs Committee of the Senate", and "Senate Committee on Economic Development and Tourism" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Economic Development Committee":

- (1) Code Section 10-9-20, relating to the creation and operation of the Geo. L. Smith II Georgia World Congress Center Authority Overview Committee;
- (2) Code Section 10-10-7, relating to the publication of an annual report by the Advanced Technology Development Center;
- (3) Code Section 12-3-318, relating to purposes for which income, gifts, grants, appropriations, bonds, or loans may be used by the Lake Lanier Islands Development Authority;
- (4) Code Section 50-12-75, relating to the designation of overview committees to review and evaluate the Aviation Hall of Fame Board; and
- (5) Code Section 50-27-34, relating to the legislative oversight committee for the Georgia Lottery Corporation.

SECTION 2-6.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrase "Senate Education Committee" wherever the same shall occur and inserting in lieu thereof, the phrase "Senate Education and Youth Committee":

- (1) Code Section 20-2-285.1, relating to provisions applicable to third grade criterion-referenced reading assessment students; and
- (2) Code Section 20-3-519.13, relating to the creation and reporting requirements of the HOPE/Pre-K Legislative Oversight Committee.

SECTION 2-7.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Education Committees of the House of Representatives and the Senate" and "House and Senate Education Committees" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Education Committee and the Senate Education and Youth Committee":

(1) Code Section 20-2-212.3, relating to increasing teachers' salaries in areas of shortage and criteria for determining the shortages; and

(2) Code Section 20-3-250.5, relating to the administration and general powers and duties of the Nonpublic Postsecondary Education Commission.

SECTION 2-8.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Appropriations and Education committees of the House of Representatives and the Senate", "Education and Appropriations committees of the House of Representatives and the Senate of the General Assembly" and "Appropriations and Education committees of the House of Representatives and Senate of the General Assembly" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Appropriations Committees of the House of Representatives and the Senate, the House Education Committee, and the Senate Education and Youth Committee":

(1) Code Section 20-2-250, relating to projects to improve effectiveness;

(2) Code Section 20-2-260, relating to capital outlay funds generally; and

(3) Code Section 20-2-321, relating to expense record requirements.

SECTION 2-9.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrase "House and Senate Education Committees" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Education Committee, the Senate Education and Youth Committee":

(1) Code Section 49-5-224, relating to the submission of an annual report by the commissioner of human resources; and

(2) Code Section 49-5-227, relating to the Children and Youth Coordinating Council to comment and provide recommendations on the plan for the Coordinated System of Care.

SECTION 2-10.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Code Section 20-2-320, relating to the Education Information Steering Committee, by revising subsection (c) as follows:

"(c) For the purpose of this article, authorized educational agencies shall be the Department of Education; the Department of Early Care and Learning; the Board of Regents of the University System of Georgia; the Department of Technical and Adult Education; the Education Coordinating Council; the Professional Standards Commission; the State Data and Research Center and units under contract to the State Data and Research Center; the Office of Student Achievement; the education policy and research components of the office of the Governor; the Office of Planning and Budget; the Legislative Budget Office; the House Research Office; and the Senate Research Office. Any information collected over the state-wide comprehensive educational information system, including individual student records and individual personnel records, shall be accessible by authorized educational agencies, provided that any information which is planned for collection over the system but which is temporarily being collected by other means shall also be accessible by authorized educational agencies and provided, further, that adequate security provisions are employed to protect the privacy of individuals. All data maintained for this system shall be used for educational purposes only. In no case shall information be released by an authorized educational agency which would violate the privacy rights of any individual student or employee. Information released by an authorized educational agency in violation of the privacy rights of any individual student or employee shall subject the authorized educational agency to all penalties under applicable state and federal law. Any information collected over the state-wide comprehensive educational information system which is not stored in an individual student or personnel record format shall be made available to the Governor, and the House and Senate Appropriations, ~~Education~~, and Higher Education committees, the House Education Committee, and the Senate Education and Youth Committee, except information otherwise prohibited by statute. Data which are included in an individual student record or individual personnel record format shall be extracted from such records and made available in nonindividual record format for use by the Governor, committees of the General Assembly, and agencies other than authorized educational agencies."

SECTION 2-11.

Said Title 20 is further amended in Code Section 20-14-27, relating to required reports by the Office of Student Achievement, by revising subsection (b) as follows:

“(b) Each report provided for in this Code section shall be published in a format that can be easily understood by parents and other members of the community who are not professional educators. Such reports shall be distributed to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, the chairpersons of the ~~Education and Higher Education~~ committees of the Senate and House of Representatives, the House Education Committee, and the Senate Education and Youth Committee, members of the state education governing boards or commissions, and members of the council. The office shall not be required to distribute copies of such reports to the members of the General Assembly but shall notify such members of the availability of the reports in the manner which it deems to be most effective and efficient. In addition, such reports shall be posted on the website of the office.”

SECTION 2-12.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Senate Finance and Public Utilities Committee", "Finance and Public Utilities Committee of the Senate", and "Finance and Public Utilities Committee of the Georgia Senate" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Finance Committee":

- (1) Code Section 36-81-8, relating to annual local government finances reports and local independent authority indebtedness reports;
- (2) Code Section 48-5-349.5, relating to an annual report on examination of county tax digests; and
- (3) Code Section 50-16-34, relating to the powers and duties of the State Properties Commission.

SECTION 2-13.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Finance and Public Utilities Committee of the Senate" and "Finance and Public Utilities Committee of the Georgia Senate" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Regulated Industries and Utilities Committee":

- (1) Code Section 46-2-23, relating to rate-making power of the Public Service Commission generally; and
- (2) Code Section 46-10-3, relating to the creation of consumers' utility counsel and the appointment, qualifications, and compensation thereof.

SECTION 2-14.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Natural Resources Committee of the Senate", "Senate Natural Resources Committee", "Georgia Senate Natural Resources Committee", and "Senate Committee on Natural Resources" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Natural Resources and the Environment Committee":

(1) Code Section 12-5-327, relating to the duty of the Department of Natural Resources to prepare a document reflecting the Georgia coastal management program for submission to the Governor;

(2) Code Section 12-5-443, relating to a comprehensive land and water use plan;

(3) Code Section 12-5-580, relating to the creation of coordinating committees by the Metropolitan North Georgia Water Planning District Governing Board;

(4) Code Section 12-5-581, relating to the creation of advisory councils by the Metropolitan North Georgia Water Planning District Governing Board;

(5) Code Section 12-5-586, relating to an annual report detailing activities of the Metropolitan North Georgia Water Planning District; and

(6) Code Section 12-11-11, relating to the Conservation Corps Advisory Council.

SECTION 2-15.

Code Section 28-8-1 of the Official Code of Georgia Annotated, relating to the creation of the Georgia Criminal Justice Improvement Council and its membership and operations, is amended by revising paragraphs (3) and (4) of subsection (a) as follows:

"(3) The ~~chairmen~~ chairpersons of the Judiciary, Special Judiciary, Public Safety and Homeland Security, and ~~Corrections, Correctional State~~ Institutions and Property committees of the Senate;"

(4) The ~~chairmen~~ chairpersons of the Judiciary, ~~Special Judiciary, Non-civil~~ Public Safety and Homeland Security, and State Institutions and Property committees of the House of Representatives;

SECTION 2-16.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Senate Committee on Health and Human Services" wherever the same shall occur and inserting in lieu thereof the phrase "Senate Health and Human Services Committee":

(1) Code Section 49-5-224, relating to reporting with respect to severely troubled children and adolescents; and

(2) Code Section 49-5-227, relating to the Children and Youth Coordinating Council to comment and provide recommendations on the plan for the Coordinated System of Care.

SECTION 2-17.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Industry Committee of the House of Representatives", "Industry Committee of the Georgia House of Representatives", and "House Committee on Industry" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Energy, Utilities and Telecommunications Committee":

(1) Code Section 46-2-23, relating to the rate-making power of the Public Service Commission generally;

(2) Code Section 46-10-3, relating to the creation of consumers' utility counsel and the appointment, qualifications, and compensation thereof; and

(3) Code Section 50-13-4, relating to the procedural requirements for adoption, amendment, or repeal of rules.

SECTION 2-18.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Industry Committee of the House of Representatives" and "House Committee on Industry" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Economic Development and Tourism Committee":

(1) Code Section 50-5-124, relating to reports required of an advisory council to the Department of Administrative Services; and

(2) Code Section 50-12-75, relating to the designation of overview committees to review and evaluate the Aviation Hall of Fame Board.

SECTION 2-19.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Journals Committee of the House of Representatives" wherever the same shall occur and inserting in lieu thereof the phrase "House Information and Audits Committee":

(1) Code Section 28-1-8, relating to salary and allowances of members and officers of the General Assembly.

SECTION 2-20.

Code Section 9-10-150 of the Official Code of Georgia Annotated, relating to grounds for continuance for a party or attorney in the General Assembly, is amended by striking such Code section in its entirety and inserting in lieu thereof the following:

"9-10-150.

A member of the General Assembly who is a party to or the attorney for a party to a case, or any member of the staff of the Lieutenant Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Speaker Pro Tempore of the House of Representatives, or the chairperson of the Judiciary Committee or Special Judiciary Committee of ~~either~~ the Senate or of the Judiciary Committee or Judiciary, Non-civil Committee of the House of Representatives who is the lead counsel for a party to a case pending in any trial or appellate court or before any administrative agency of this state, shall be granted a continuance and stay of the case. The continuance and stay shall apply to all aspects of the case, including, but not limited to, the filing and serving of an answer to a complaint, the making of any discovery or motion, or of any response to any subpoena, discovery, or motion, and appearance at any hearing, trial, or argument. Unless a shorter length of time is requested by the member, the continuance and stay shall last the length of any regular or extraordinary session of the General Assembly and during the first three weeks following any recess or adjournment including an adjournment sine die of any regular or extraordinary session. A continuance and stay shall also be granted for such other times as the member of the General Assembly or staff member certifies to the court that his or her presence elsewhere is required by his or her duties with the General Assembly. Notwithstanding any other provision of law, rule of court, or administrative rule or regulation, the time for doing any act in the case which is delayed by the continuance provided by this Code section shall be automatically extended by the same length of time as the continuance or stay covered."

SECTION 2-21.

Code Section 15-5-21 of the Official Code of Georgia Annotated, relating to promulgation of rules relating to transcripts and court reporters' fees, is amended by striking subsection (d) in its entirety and inserting in lieu thereof the following:

"(d) A rule or regulation promulgated by the Judicial Council pursuant to this Code section shall not become effective unless that council provides to the chairperson of the Judiciary Committee of the House of Representatives, the chairperson of the ~~Special Judiciary,~~ Non-civil Committee of the House of Representatives, the chairperson of the Judiciary Committee of the Senate, and the chairperson of the Special Judiciary Committee of the Senate, at least 30 days prior to the date that council intends to adopt such rule or

1 regulation, written notice which includes an exact copy of the proposed rule or regulation
2 and the intended date of its adoption. After July 1, 1986, no rule or regulation adopted by
3 the Judicial Council pursuant to this Code section shall be valid unless adopted in
4 conformity with this subsection. A proceeding to contest any rule or regulation on the
5 grounds of noncompliance with this subsection must be commenced within two years from
6 the effective date of the rule or regulation."

7 **Part 3**

8 **SECTION 3-1.**

9 It is not the intention of this Act to remove from office any person appointed under prior law,
10 but rather this Act is intended only to change the power of appointment for appointments
11 made on or after the effective date of this Act.

12 **SECTION 3-2.**

13 This Act is intended to reflect the current internal organization of the Georgia Senate and
14 House of Representatives and is not otherwise intended to change substantive law. In the
15 event of a conflict with any other Act of the 2007 General Assembly, such other Act shall
16 control over this Act.

17 **SECTION 3-3.**

18 This Act shall become effective upon its approval by the Governor or upon its becoming law
19 without such approval.

20 **SECTION 3-4.**

21 All laws and parts of laws in conflict with this Act are repealed.